

September 15, 2004



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The Honorable Vernon Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W., Suite 715  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

SEP 24 2004

Part of  
Public Record

Re: STB Docket No. AB-6 (Sub No. 403X); The Burlington Northern and Santa Fe (BNSF) Railway Company. Abandonment in Wichita, Kansas and between Wichita and Valley Center, in Sedgwick County, Kansas.

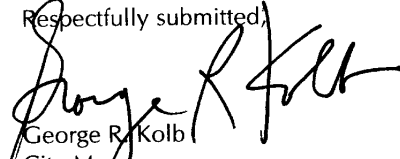
Dear Secretary Williams:

On April 22, 2003, the Surface Transportation Board issued a decision in the above-referenced proceeding imposing a notice of interim trail use/railbanking "NITU" condition. The Board imposed a deadline of October 19, 2003 on the NITU, and subsequently issued an extension until April 16, 2004 per request of the BNSF Railway Company, and a second extension until October 13, 2004 per request of the City of Wichita.

Due to ongoing negotiations with the BNSF Railway Company, the City of Wichita is requesting an extension of the NITU for an additional 180 days (until April 10, 2005) for a 9.78-mile segment of the right-of-way extending from milepost 494.22 at the Butler County/Sedgwick County line, to milepost 504.00 near Hydraulic Street, in downtown Wichita.

In the previous six months, the City of Wichita initiated an extensive citizen involvement program to inform the public and the adjacent property owners on the railbanking and trail development process, and continues to negotiate in good faith with the BNSF Railway Company for interim trail use of that part of the rail line identified above. For this reason, the City of Wichita is requesting a 180-day extension of the negotiating period.

Respectfully submitted,

  
George R. Kolb  
City Manager

**FILED**

cc: John Schlegel, Director of Planning, Wichita-Sedgwick County MAPD  
Jamsheed Mehta, Chief Planner, Wichita-Sedgwick County MAPD  
Gary Rebenstorf, Director of Law, City of Wichita  
Sarah Whitley Bailiff, Senior General Attorney, BNSF  
Richard Batie, Manager, Shortline Development, BNSF

**City Manager's Office**

City Hall • 13th Floor • 455 N. Main • Wichita, Kansas 67202-1667

**T 316.268.4351 • F 316.268.4519**

[www.wichitagov.org](http://www.wichitagov.org)